



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

AUG 10 2004

John T. Dunn
Interim Chief Engineer/Deputy General Manager
District of Columbia Water and Sewer Authority
5000 Overlook Ave, SW
Washington DC 20032

Re: Plan for Selecting 1000 Priority Sites

Dear Mr. Dunn,

On August 2, 2004, the U.S. Environmental Protection Agency Region III ("EPA") received documentation from the District of Columbia Water and Sewer Authority ("DCWASA") intended to comply with paragraphs 81 and 82 of the Administrative Order for Compliance on Consent (SDWA 03-2004-0259-DS) ("Order"). Paragraphs 81 directed DCWASA to submit for EPA's review and approval a plan for selecting a subset of at least 1000 specific lead service lines replacement locations based on a prioritization plan. Paragraph 82 directed DCWASA to replace those lines identified by the plan described in paragraph 81 between October 1, 2004 and September 30, 2006.

EPA cannot at this time approve DCWASA's prioritization plan and replacement schedule pursuant to paragraph 81 and 82. EPA's list of concerns and clarifications are as follows:

1. While the submission references consultation with the District of Columbia Department of Health (DOH) as required by paragraph 81 of the Order, the submission lacks sufficient documentation. Please provide a summary, including identification of the persons at DOH who were consulted, and the commitments and time lines under which DOH has agreed to provide the documentation described in this plan.
2. Under "Background", DCWASA refers to 'replacement year', calendar year, and the time period established under the AO (October 1, 2004 -September 30, 2006), which is equivalent to federal fiscal years FY '05 and '06. "Replacement year" is not defined. References to and goals for a calendar year are confusing because they overlap more than one year of compliance reporting for lead service line replacements.
 - a. For example, the commitment date under section A. 5. falls during the compliance period of October 1, 2004 - September 30, 2005, rather than during the compliance period ending September 30, 2004. Additionally, the commitment does not estimate how many lines will be replaced.
3. The submission refers in paragraph B. 1. c. to obtaining lists of addresses identified by DC DOH as having high blood lead levels in children. Please ensure that DCWASA's

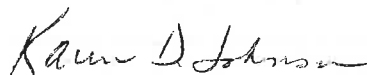


receipt and use of this information and other information gathered from customers will comply with the Health Insurance Portability and Accountability Act of 1996, the Standards for Privacy of Individually Identifiable Health Information (45 C.F.R. Parts 160 and 164), and District of Columbia information privacy laws.

4. Under A. 2. a), DCWASA notes that 228 day care centers will be evaluated by test pits.
 - a. Is 228 a subset of day cares with unknown/suspected lead service lines (LSLs), or is it the total, including those with identified LSLs?
 - b. If 228 is a subset, what is the total?
 - c. When will the test pit task be completed?
 - d. The completion date for replacing day care service lines falls within the FY 05 time frame. This element of the plan should be split between what will be completed by September 30, 2004 and what will be completed October 1, 2004 - September 30, 2005. The latter should be included in the proposed plan for 2005.
5. Please clarify whether the 1500 ranked customer addresses listed in A. 4. comprise the total number of addresses that have been identified as homes to "at risk" individuals or are a subset of the 2707 responses that also have lead service lines as of April 30, 2004?
6. As DCWASA adjusts its inventory of lead service lines, lines newly classified as lead need to be cross-referenced with the remaining 1207 "at risk" customers to identify any additional priority replacement addresses for 2006.
7. Will the customers identified as "at risk" due to high blood lead level be added to the first priority (B. 1. b.) or the third priority (B. 1. f.)?
8. The plan should include a section on reporting priority replacements as a part of the annual report to EPA on lead service line replacements. Because of privacy concerns, DCWASA's reporting of locations that were replaced as a priority locations do not need to specify which priority category applies to specific addresses.

DCWASA has 21 days from receipt to submit a revised plan or notify EPA that it is invoking the dispute resolution process. If you have any questions, please contact me at 215-814-5445.

Sincerely,



Karen D. Johnson, Chief
Safe Drinking Water Act Branch

cc: Wendy Hartmann Moore, Principal Counsel, DCWASA
Dorian Thompson, DC DOH
Dr. Thomas Calhouun, DC DOH